

### **REMARKS/ARGUMENTS**

In the present Office Action, claims 1-5, 7-12, 14-16, 19 and 20 were rejected. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. Claim 16 has been amended to correct a typographical error. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

### **INTERVIEW**

The Applicants thank the Examiner for granting an interview with their representatives on February 7, 2006. This response, which requests that the Examiner reconsider his rejections, is filed as requested by the Examiner in the Interview Summary prepared at the conclusion of the interview.

### **FORMAL CLAIM AMENDMENT**

Applicants have amended claim 16 to correct a typographical error. In particular, applicant has replaced "said first elongate member" with "said first elongated member." This amendment to the claim is merely the correction of a typographical error. This amendment does not effect the scope of the claims. No new matter has been added.

### **CLAIM REJECTIONS – 35 U.S.C. § 112**

Claims 1-5, 7-12, 14, 15, 16, 19, and 20 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. At numbered paragraphs 3 and

4 of the December 2, 2005 Office Action, the Office Action states that the above-listed claims contained subject matter that was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. As the Examiner and the Applicant's representatives agreed at the February 7, 2006 interview, the specification clearly shows the proper workings of inner member 12 and outer member 16. In particular, the specification states that:

FIG. 2 provides an expanded view of the inner member 12 of the handle. Referring to FIG. 2, the inner member includes a first end 14 that is designed to be received by the jack's connecting mechanism 20. First end 14 may be threaded or it may be equipped with other features, such as one or more notches, grooves, hooks, extensions, or other items to engage the receptacle 20. The other end of first member 12 includes an expanded portion 22 having a width or diameter that is larger than the width or diameter of the remainder of inner member 12. End 14 may also have a width that is optionally less than, greater than, or equal to that of the remainder of the support member, which width may even optionally be less than, greater than, or equal to that of the expanded portion 22.

An expanded view of the outer member 16 is illustrated in FIG. 3. Referring to FIG. 3, the outer member 16 includes a first opening 17 and a second opening 19. The second opening 19 may generally comprise an outer end face 21 at the end of the outer member 16. A restriction 18 is provided in order to provide an inner diameter that is smaller than the inner diameter of other portions of the

member. Preferably, the restriction 18 is near second opening 19 as illustrated in FIG. 3, although restriction 18 may in fact be located anywhere along the outer member 16.

The extendible handle is assembled by placing the first end 14 of the inner member 12 in to the outer member 16 by passing the first end 14 through opening 17 until the expanded portion 22 of the inner member contacts the restriction 18. Restriction 18 prevents inner member 12 from being passed entirely through outer member 16 but allows for movement of inner member 12 along its length until extended portion 22 contacts the restriction 18. Inner member 12 and outer member 16 are thus telescopically related to each other. The handle is then attached to the jack by attaching the first end 14 of inner member 12 to receptacle 20.

Specification, page 9, line 5 to page 10, line 9 (including an amendment to the specification submitted via amendment on March 16, 2004).

In light of the above-quoted portion of the specification, and the February 7, 2006 interview, the Applicants respectfully request that the Examiner withdraw his rejections of claims 1-5, 7-12, 14, 15, 16, 19, and 20.

#### **CLAIM REJECTIONS – 35 U.S.C. § 102(b)**

Claims 16, 19 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,381,707.

To anticipate a claim, the reference must teach every element of the claim. *MPEP* § 2131. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987); *see also MPEP* § 2131.

Gill does not teach or suggest the combination recited by claim 16. For example, claim 16 recites a hollow second elongated member having a first end and a second end wherein the first end has an outer end face, the second elongated member positioned to telescopically receive the second end of the first elongated member and further including a means for restricting the first elongated member from fully passing through both ends of the second elongated member. Nowhere in Gill is discussed a combination including such a second elongated member positioned to telescopically receive the second end of the first elongated member. Rather, in the apparatus of Gill “each first end of a section fits within a second end of another section. A first hole in each first end aligns with a second hole in each second end when one section is fitted into another section.” Gill, col. 2, line 67-col. 3, line 3.

Furthermore, the Office action does not state that Gill includes, in order to prohibit movement in an axial direction, the restricting means is configured to be retained along a surface of the outer end face in abutting contact with the restricting device, as is stated in claim 16. Nowhere in Gill is there discussed such a restricting means. Rather, in the apparatus of Gill a smaller square end 23 of a first extension arm 20 fits into the larger square end 22 of a second extension arm 20, and the two extension arms are prevented from moving in an axial direction by a lug 32. Gill, Fig. 8.

Claims 19 and 20 each depend directly on claim 16. Claim 16 is in condition for allowance. Therefore, claims 19 and 20 are patentable at least by virtue of their dependencies on claim 16. The Examiner's rejection of these dependant claims should be withdrawn in light of the presently amended claim 16.

In light of the foregoing amendment and arguments, withdrawal of the rejection of claims 16, 19, and 20 under 35 U.S.C. § 102(a) as being anticipated by Hanrahan is respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

Docket No. 87345.1640  
Application No. 09/911,288  
Customer No. 30734

Patent

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87345.1640.

Respectfully submitted,

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